



ARK:ahh092006/1591757.REQ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant : Liban Yusuf
Serial No. : 09/752,988
Filed : January 2, 2001
For : LOTTERY TICKET PLAY ACTION GAME
Art Unit : 3711
Confirmation No. : 9844
Attorney Docket No. : 159.1.757

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP PETITION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450	
ON	November 10, 2006
NAME	Jill S. Garretson
SIGNATURE	<i>Jill S. Garretson</i>

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2006

5 RENEWED PETITION UNDER 37 C.F.R. 1.47(b)

Dear Sir:

10 This is a Request for Reconsideration in response to the Decision of Refusing
Status under 37 CFR 1.47(b) of December 12, 2002. Applicant has filed concurrently
herewith a Petition for a four (4) month extension of time along with the requisite fee
extending the date for response to June 12, 2003.

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The Decision states that the Petition under 37 CFR 1.47(b) of September 7, 2001, failed to: (1) establish that the non-signing inventor was ever presented with the application for signature, (2) present an oath or declaration for the patent application in compliance with 37 C.F.R. 1.63 and 1.64, (3) show or provide proof that Oberthur
5 Gaming Technologies, Inc., (hereinafter "Oberthur") has sufficient proprietary interest in the subject matter to justify the filing of the application, and (4) provide a statement that "the filing of the application is necessary to preserve the rights of the parties."

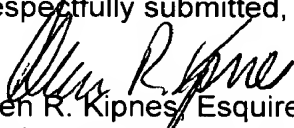
In response to the Decision, Applicant has filed herewith 1) a Declaration of Allen
10 R. Kipnes, Esq., Intellectual Property counsel to Oberthur, providing a statement regarding the presentation of the application to the sole inventor Liban Yusuf for signature; 2) a Declaration/Power of Attorney executed by Claude Lambert, Vice-President of Technological Development of Oberthur, in compliance with 37 C.F.R. 1.63 and 1.64; and 3) a Declaration of Claude Lambert, providing a statement establishing
15 Oberthur's sufficient proprietary interest in the subject matter, and the necessary statement that "the filing of the application is necessary to preserve the rights of the parties."

Applicant reiterates that, despite all these efforts, Mr. Liban Yusuf has refused to
20 cooperate and all efforts to discuss this matter have been unfruitful. Under these circumstances, Applicant respectfully requests for a renewed petition under 37 CFR 1.47(b) so that the unsigned Declaration/Power of Attorney of Mr. Yusuf be entered on the record and that the filing date of January 2, 2001 be confirmed.

Since the Official Fee for the Petition has been charged and the requisite fees for extending the date for response and for reviving the application for patent abandoned unintentionally, are enclosed herewith, it is believed that no additional fee is due.

5 However, if any additional fee is due, it should be charged to Deposit Account No. 23-0510.

Respectfully submitted,


Allen R. Kipnes, Esquire
Registration No. 28,433
Attorney for Applicant

Address All Correspondence to:
Allen R. Kipnes, Esquire
WATOV & KIPNES, P.C.
P.O. Box 247
Princeton Junction, NJ 08550
(609) 243-0330



ARK:ahh092006/1591757.DEC-ARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant : Liban Yusuf
Serial No. : 09/752,988
Filed : January 2, 2001
For : LOTTERY TICKET PLAY ACTION GAME
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ON	November 10, 2006
NAME	Jill S. Garretson
SIGNATURE	<i>Jill S. Garretson</i>

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
5 Alexandria, VA 22313-1450

November 10, 2006

DECLARATION

10

Dear Sir:

15

I, Allen R. Kipnes, declare and say as follows:

1. For all times relevant herein, I hereby state that I have been the Intellectual Property counsel for Oberthur Gaming Technologies, Inc., the owner of the above-identified patent application. I am aware that the U.S. Patent and Trademark
5 Office has requested evidence that the non-signing inventor, Mr. Liban Yusuf, was presented with the application for signature, as part of the proof that the non-signing inventor refuses to sign the oath or declaration.

2. On or about March 11, 2003, I sent via FedEx International Priority
10 delivery service a package containing a letter along with a copy of the patent application, and the Declaration/Power of Attorney, to the last known address of Mr. Liban Yusuf. The letter informed Mr. Yusuf that we request his signature and dating on the Declaration/Power of Attorney documents enclosed with the copy of the patent application, and that he forward the signed and executed documents to my attention as
15 soon as possible. A copy of the cover letter to Mr. Liban Yusuf and the corresponding mailing slip for the package is attached hereto.

3. On or about March 18, 2003, I received confirmation of Mr. Yusuf's receipt of the package of March 11, 2003, signed for delivery by "L. Yusef" at about 11:23 am.
20 A copy of the proof of delivery from the delivery service is attached hereto.

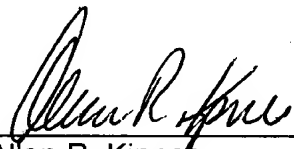
4. I hereby state that I have not received to this day the signed and executed documents from Mr. Yusuf. I believe that Mr. Yusuf is and remains totally

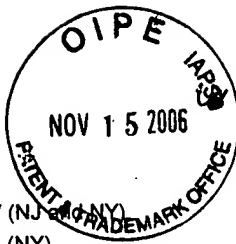
ARK:ahh092006/1591757.DEC-ARK

uncooperative with respect to the above-captioned application and believe that he would not sign the required Declaration/Power of Attorney in order to complete the formal filing requirements of the above-identified patent application.

5 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false
10 statements may jeopardize the validity of the application or any patent issuing thereon.

Date: Nov, 10, 2006

By: 
Allen R. Kipnes
Registration No. 28,433
Attorney for Applicant



WATOV & KIPNES

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

KENNETH WATOV (NJ and NY)
ALLEN R. KIPNES (NY)
ALBERT H. HSU (NJ, NY, and DC)

Mailing Address:

P.O. BOX 247
PRINCETON JUNCTION, NJ 08550

Express Mail Address:

186 Princeton-Hightstown Rd.
Building 3B
Princeton Junction, NJ 08550

E-Mail for KW- WKKen@aol.com
E-Mail for ARK- WKAllen1@aol.com

PATENTS, TRADEMARKS,
COPYRIGHTS AND
RELATED MATTERS

(609) 243-0330
FAX: (609) 275-1010

FILE

1591757.LY

March 11, 2003

VIA INTERNATIONAL FEDERAL EXPRESS

Liban Yusuf
99 Dalhousie Street, Apt. 909
Toronto, Ontario M5B 2N2
CANADA

Re: U.S. Patent Application Serial No. 09/752,988
Based on a project entitled "Ancient Treasures"
Our Reference No.: 159.1.757

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Dear Mr. Yusuf:

We are intellectual property counsel for Oberthur Gaming Technologies and we are enclosing herewith a patent application including a Declaration/Power Of Attorney. We require your signature and dating on the Declaration/Power Of Attorney and a return of the application as well as the executed Declaration/Power Of Attorney to my attention. We ask that you forward these documents to my attention as soon as possible. Preferably we request you return the documents by Federal Express or other overnight courier and upon receipt, we will reimburse you for the amount of shipping.

The enclosed patent application is based on the lottery ticket design that you developed entitled "Ancient Treasures" which was selected from the content referred to as "Winning Concept 1999" sponsored by Oberthur Gaming Technologies, Inc.

You will recall that you Assigned all your rights (both non-patent and patent rights) to this game and were paid the sum of \$2,500 for the Assignment of rights.

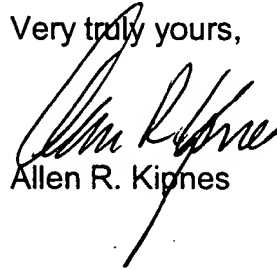
Accordingly, we would appreciate your cooperating by signing the enclosed Declaration/Power Of Attorney where indicated.

Please note that the Declaration/Power Of Attorney states that you believe that you are the first to invent the subject matter of the patent application.

Liban Yusuf
March 11, 2003
Page 2

We look forward to the receipt of the entire executed application and thank you in advance for your cooperation in connection with this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Allen R. Kipnes", written over the typed name.

Allen R. Kipnes

ARK:jsg
Enclosures

1 From Please print and press hard.
Sender's FedEx Account Number 311103 1353-1382-3

Sender's Name Allen R. Kipnes, Esq. Phone 609 243-0330

Company HATOV & KIPNES PC

Address 186 PRINCETON-HIGHTSTOWN RD#3B

City PRINCETON JUNCTION State Province NJ ZIP Postal Code 08550

2 Your Internal Billing Reference 159.1.757
First 24 characters will appear on invoice.

3 To Recipient's Name Liban Yusuf Phone

Company

Address 99 Dalhousie Street Apt. 909

City Toronto State Province Ontario

Country CANADA ZIP Postal Code M5B 2N2

Recipient's Tax ID number for Customs purposes
e.g. GST#RC/VAT#EIN, or as locally required

4 Shipment Information

Total Packages Shipper's and Consignee's	Total Weight	lbs. <input checked="" type="checkbox"/> kg <input type="checkbox"/>	in. <input type="checkbox"/> cm <input type="checkbox"/>	L / W / H	DIM <input type="checkbox"/>	Country of Manufacture	Value for Customs REQUIRED
Commodity Description REQUIRED		Harmonized Code		Country of Manufacture		Value for Customs REQUIRED	
Business Correspondence		USA		1.00		1.00	

For U.S. Export Only: Check One
☐ No SED required, value \$500 or less per Schedule B Commodity number
☐ No SED required per Exemption
☐ SED attached (provide export license no. and exp. date or license exemption symbol, if applicable)

Total Value for Customs (Specify Currency)
1.00

Not all services and options are available to all destinations.

5 Express Package Service
☒ FedEx Intl. Priority
Available to select locations
Higher rates apply.

6 Packaging
☒ FedEx Envelope
☐ FedEx Pak
☐ FedEx Int'l Economy
FedEx Envelope and FedEx Pak
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☐ HOLD at FedEx Location
☐ SATURDAY Delivery
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Available for FedEx Intl. Priority only

8a Payment Bill transportation charges to:
☒ Sender Acct. No. in Section 1 will be billed.
☐ Recipient
☐ Third Party
☐ Credit Card
FedEx Acct. No. Credit Card No. Exp. Date

8b Payment Bill charges and taxes to:
☒ Sender Acct. No. in Section 1 will be billed.
☐ Recipient
☐ Third Party
☐ Credit Card
FedEx Acct. No.

9 Required Signature
Use of this Air Waybill constitutes your agreement to the Conditions of Contract on the back of this Air Waybill and you represent that this shipment does not require a U.S. State Department License. Certain international treaties, including the Warsaw Convention, may apply to this shipment and limit our liability for damage, loss, or delay, as described in the Conditions of Contract. These commodities, technology, or software were exported from the United States in accordance with U.S. Export Administration Regulations. Diversion contrary to U.S. law prohibited.

Signature: Allen R. Kipnes Date: 3/11/03
This is not authorization to deliver this shipment without a recipient signature.

For Completion Instructions, see back of fifth page.

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Memphis, TN 38194-4643
Telephone: 901-369-3600

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3/21/2003

Dear Customer:

Here is the proof of delivery for the shipment with tracking number **832803990479**. Our records reflect the following information.

Delivery Information:

Signed For By: L.YUSEF
Delivery Location: 99 DALHOUSIE ST
Delivery Date: March 18, 2003
Delivery Time: 1123

Shipping Information:

Tracking No: 832803990479

Ship Date: March 11, 2003

Recipient:
LIBON YUSUF

99 DAL HOUSIE STREET APT. 909
TORONTO, ON M5B2N2
CA

Shipper:
ALLEN R KINNES ESQ
ILLEGIBLE
ILLEGIBLE
PRINCETON JUNCTION, NJ 03550
US

Shipment Reference Information:

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ARK:ahh092006/1591757.DEC-CL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant : Liban Yusuf
Serial No. : 09/752,988
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Attorney Docket No. : 159.1.757

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ON November 10, 2006

NAME Jill S. Garretson

SIGNATURE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2006

DECLARATION

Dear Sir:

I, Claude Lambert, declare and say as follows:

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1. For all times relevant herein, I have been the Vice-President of Technological Development of Oberthur Gaming Technologies, Inc, the owner of the above-identified patent application. Based on information and belief, Mr. Liban Yusuf, the inventor of the subject matter claimed in the above-identified patent application has
5 refused to execute the Declaration/Power of Attorney, which is required for submission to the U.S. Patent and Trademark Office.

2. On information and belief, I am of the view that Mr. Yusuf is the sole and first inventor of the subject matter of the present application and have no information
10 other than what is of record in the present application to suggest otherwise.

3. I am aware that the U.S. Patent and Trademark Office has requested evidence that the invention covered by the above-identified patent application was assigned to Oberthur Gaming Technologies, Inc.
15

4. I am enclosing herewith a copy of an Assignment from Liban Yusuf to Oberthur Gaming Technologies, Inc. assigning all non-patent and patent rights in Mr. Yusuf's project entitled "Ancient Treasures" which was submitted as part of a contest sponsored by Oberthur Gaming Technologies, Inc. entitled "Winning Concept 1999".
20

5. Mr. Yusuf was presented a check in the amount of \$2,500 as full payment for the Assignment of all rights which was forwarded to his home address on September

27, 2000 by Lyse Trudel, Public Relations Officer of Oberthur Gaming Technologies, Inc. A copy of the check and letter from Lyse Trudel to Mr. Yusuf is also enclosed.

6. On information and belief, the subject matter of the present application
5 embodies the concept of "Ancient Treasures" presented by Mr. Liban Yusuf as an entry
in the "Winning Concepts 1999" contest sponsored by Oberthur Gaming Technologies,
Inc. I submit that the evidence of the Assignment presented herein is proof of Oberthur
Gaming Technologies, Inc.'s proprietary interest in the subject matter of the present
application.

10

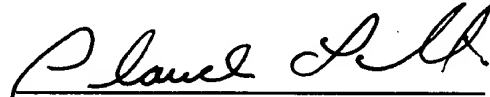
7. Pursuant to my accompanying Declaration, I believe that Oberthur
Gaming Technologies Inc., has sufficient proprietary interest in the subject matter of the
present application for me to execute the Declaration/Power of Attorney for filing in the
present application, and that the filing date of the present application is necessary to
15 preserve the rights of Oberthur Gaming Technologies, Inc. and to prevent irreparable
damage which could occur since commercialization of the claimed technology has
taken place.

8. In support of the accompanying Petition for Revival of an Application for
20 Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b), I submit that the entire
delay in filing the required reply from the due date for the reply until the filing of a
grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional.

ARK:ahh092006/1591757.DEC-CL

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under
5 section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: SEPT. 26, 2006



By: Claude Lambert
Vice-President – Technological Development
Oberthur Gaming Technologies Inc.

10



September 27, 2000

Mr. Liban Yusuf
99 Dalhousie Street, apt. 909
Toronto, Ontario
M5B 2N2

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Subject: "Winning Concept '97"

Dear Mr. Yusuf,

Please find enclosed the cheque in the amount of \$2,500 representing the lump sum for all your non-patent and patent rights in your concept entitled *"Ancient Treasures"*.

Should your project be chosen by one or more of our clients in the future, it will be our pleasure to send you some samples of the printed ticket.

Best regards,

Lyse Trudel
Public Relations Officer

Encl.



Oberthur Gaming Technologies Inc.

3000, boul. de l'Assomption, Montréal (Québec) H1N 3V5 CANADA • Tel.: (514) 254-3000 • Fax: (514) 254-1411



N° DU FOURNISSEUR

NOM DU FOURNISSEUR

43780

Oberthur Jeux et Technologies inc.

1563 LIBAN YUSUF

DES TRANSACTIONS	RÉFÉRENCE	MONTANT BRUT	DÉDUCTION	MONTANT NET
2-09-2000	CONCEPT GAGN	2,500.00	0.00	2,500.00
DATE DU CHÈQUE	CHÈQUE N°	TOTAL BRUT	TOTAL DES DÉDUCTIONS	MONTANT DU CHÈQUE
		2,500.00	0.00	2,500.00



3000, boul. de l'Assomption
Montréal (Québec) H1N 3V5 Canada
Tél: (514) 254-3000

BANQUE NATIONALE DU CANADA
600, rue de La Gauchetière Ouest
Montréal (Québec) H3B 4L2

43780

Jeux et Technologies

TWO THOUSAND FIVE HUNDRED AND 00/100

DATE

CHÈQUE N°

MONTANT DU CHÈQUE

25-09-2000 43780

2,500.00

Oberthur Jeux et Technologies Inc.

PAYEZ

LIBAN YUSUF

99 DALHOUSIE ST.

A L'ORDRE DE
APT: 909
TORONTO, ONT. CDN.
M5B 2N2

PAR _____

PAR _____

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Sinetw 499-7104

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A : Diane Jalbert
DE : Ginette Robillard (Lyse Trudel)
DATE : 19 septembre 2000

OBJET : « CONCEPT GAGNANT 99 » - Paiement pour les projets retenus

Me Kipnis vient de m'aviser qu'il a reçu une confirmation de notre demande de brevet basé sur le projet *Ancient Treasures* de Liban Yusuf. Ce projet a été présenté dans le cadre de notre concours «Concept gagnant 1999».

Conformément aux Règlement du concours, Oberthur Jeux et Technologies s'engage à verser la somme forfaitaire de 500 \$ au créateur du concept choisi qui devra en céder ses droits d'auteur ainsi qu'une somme de 2 000 \$ pour sa cession de droits d'invention. À cet effet, tu trouveras ci-joint une copie du formulaire de cession de droits d'auteur et d'invention signé le 18 août 2000 par ce participant, l'original ayant été conservé par Me Kipnis pour envoi au US Patents & Trademarks Office.

Par conséquent, pourriez-vous remettre à Lyse le chèque de 2 500 \$ émis à :

Liban Yusuf
99 Dalhousie Stree, apt. 909
Toronto, ON
M5B 2N2

NAS: 503-993-495

Cette dépense devrait être portée au poste budgétaire - Projet 800273

Merci à l'avance



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Pursuant to the "Winning Concept 1999" contest rules, I, Liban Yusuf, hereby assign to Oberthur Gaming Technologies (formerly BABN Technologies) all non-patent rights throughout the world, including but not limited to the copyright in my project entitled "Ancient Treasures" in consideration of the lump sum of \$500 that Oberthur Gaming Technologies will pay me. I agree to cooperate with Oberthur Gaming Technologies including the execution of any and all documents. In the event Oberthur Gaming Technologies does not pay me this sum, this assignment is deemed null and void and without effect.

In consideration of the lump sum of \$2,000, I also hereby assign to Oberthur Gaming Technologies all patent rights throughout the world relating to said project. I agree to cooperate with Oberthur Gaming Technologies including the execution of any and all documents. In the event that Oberthur Gaming Technologies does not apply for a patent in any country, the sum of \$2,000 shall not be payable to me. In the event Oberthur Gaming Technologies does not pay me this sum, this assignment is deemed null and void and without effect.


SIGNATURE

503-993-495
SIN

Aug 18 / 00
DATE



July 11, 2000

Liban Yusuf
99 Dalhousie Street, apt. 909
Toronto, Ontario
M5B 2N2

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OBJECT: Winning Concept 99

Dear Mr. Yusuf:

As discussed today, would you please sign the attached form and fax it to me at (514) 254-1411. Afterwards, would you please forward the original, as soon as possible (by express mail), to the following address:

Oberthur Gaming Technologies
Ginette Robillard
3000, boul. de l'Assomption
Montreal, Quebec
Canada H1N 3V5
Tel: (514) 254-3000

For your information, as soon as we receive the US Official Filing Patent Receipt, it will be my pleasure to send you a check of \$2,500, which may take at least one month.

Again all our congratulations!

Ginette Robillard
Research Analyst and Project coordinator

encl.

Country of citizenship: Canada
Full name: Liban Yusuf



Oberthur Gaming Technologies Inc.



Docket No.
159.1.757**Declaration and Power of Attorney For Patent Application****English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

LOTTERY TICKET PLAY ACTION GAME

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OFFICE OF PETITIONS

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on January 2, 2001 as United States Application No. or PCT International Application Number 09/752,988 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/225,325

(Application Serial No.)

August 15, 2000

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

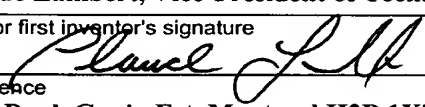
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

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